

THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
OF THE UNITED STATES

FEDERAL REGISTER

VOLUME 2 1934 NUMBER 99

Washington, Saturday, May 22, 1937

TREASURY DEPARTMENT.

Bureau of Internal Revenue.

[T. D. 4738]

BOTTLING DISTILLED SPIRITS IN BOND

MARKS AND BRANDS ON CASES

To District Supervisors and Others Concerned:

Treasury Decision 4722, approved December 30, 1936,¹ is hereby amended by striking out the words "five-eighths," appearing in Section 16, Paragraph (a), Line 3, and inserting in lieu thereof the words "one-half."

[SEAL]

GUY T. HELVERING,

Commissioner of Internal Revenue.

Approved: May 19, 1937.

ROSWELL MAGEE,

Acting Secretary of the Treasury.

[F. R. Doc. 37-1493; Filed, May 21, 1937; 10:03 a. m.]

RURAL ELECTRIFICATION ADMINISTRATION.

[Administrative Order No. 99]

ALLOCATION OF FUNDS FOR LOANS

MAY 19, 1937.

By virtue of the authority vested in me by the provisions of Section 4 of the Rural Electrification Act of 1936, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project Designation:	Amount
Tennessee 19B Rutherford.....	\$6,000
Washington 25 Cowlitz.....	88,000

JOHN M. CARMODY, *Administrator.*

[F. R. Doc. 37-1492; Filed, May 21, 1937; 9:44 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 21st day of May, A. D. 1937.

[File No. 46-52]

IN THE MATTER OF CLAM RIVER ELECTRIC COMPANY

NOTICE OF AND ORDER FOR HEARING

An application having been duly filed with this Commission, by Clam River Electric Company, a subsidiary com-

¹ 2 F. R. 32.

pany of American Utilities Service Corporation, a registered holding company, pursuant to Section 10 (a) (1) of the Public Utility Holding Company Act of 1935, for approval of the acquisition by applicant of the following securities:

6% Cumulative Preferred Stock, par value \$100 per share of Northwestern Wisconsin Electric Company, 150 Shares.

Common Stock, par value \$100 per share of Northwestern Wisconsin Electric Company, 259 Shares.

It is ordered that a hearing on such matter be held on June 7, 1937, at ten o'clock in the forenoon of that day at Room 1101, Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C.; and

Notice of such hearing is hereby given to said party and to any interested State, State commission, State securities commission, municipality, and any other political subdivision of a State, and to any representative of interested consumers or security holders, and any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before June 2, 1937.

It is further ordered that John H. Small, an officer of the Commission, be and he hereby is designated to preside at such hearing, and authorized to adjourn said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, contracts, agreements, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

Upon the completion of the taking of testimony in this matter, the officer conducting said hearing is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 37-1497; Filed, May 21, 1937; 12:41 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 21st day of May, A. D. 1937.

[File No. 46-53]

IN THE MATTER OF POLK ELECTRIC LIGHT CO.

NOTICE OF AND ORDER FOR HEARING

An application having been duly filed with this Commission, by Polk Electric Light Co., a subsidiary company of American Utilities Service Corporation, a registered holding



Published by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. L. 500), under regulations prescribed by the Administrative Committee, with the approval of the President.

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The daily issue of the **FEDERAL REGISTER** will be furnished by mail to subscribers, free of postage, for \$1 per month or \$10 per year; single copies 5 cents; payable in advance. Remit by money order payable to Superintendent of Documents, Government Printing Office, Washington, D. C.

Correspondence concerning the publication of the **FEDERAL REGISTER** should be addressed to the Director, Division of the Federal Register, The National Archives, Washington, D. C.

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company, pursuant to Section 10 (a) (1) of the Public Utility Holding Company Act of 1935, for approval of the acquisition by applicant of the following securities:

6% Cumulative Preferred Stock, par value \$100 per share of Northwestern Wisconsin Electric Company, 150 Shares.

Common Stock, par value \$100 per share of Northwestern Wisconsin Electric Company, 235 Shares.

It is ordered that a hearing on such matter be held on June 7, 1937, at ten o'clock in the forenoon of that day at Room 1101, Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C.; and

Notice of such hearing is hereby given to said party and to any interested State, State commission, State securities commission, municipality, and any other political subdivision of a State, and to any representative of interested consumers or security holders, and any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before June 2, 1937.

It is further ordered that John H. Small, an officer of the Commission, be and he hereby is designated to preside at such hearing, and authorized to adjourn said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence,

memoranda, contracts, agreements, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

Upon the completion of the taking of testimony in this matter, the officer conducting said hearing is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-1496; Filed, May 21, 1937; 12:41 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 21st day of May, 1937.

[File Nos. 43-57 & 44-7]

IN THE MATTER OF THE APPLICATIONS OF WESTERN STATES UTILITIES COMPANY

and

[File No. 46-50]

IN THE MATTER OF THE JOINT APPLICATION OF TEXAS PUBLIC SERVICE COMPANY AND TEXAS PUBLIC SERVICE FARM COMPANY

and

[File No. 46-51]

IN THE MATTER OF THE JOINT APPLICATION OF IOWA WATER SERVICE COMPANY, KANSAS PUBLIC SERVICE COMPANY, AND WEST COAST POWER COMPANY

NOTICE OF AND ORDER FOR HEARING

Peoples Light and Power Company, a registered holding company, hereinafter called the "New Company", and certain Voting Trustees (also a registered holding company) heretofore filed with this Commission declarations and applications pursuant to Sections 7 and 10 (a) (1) of the Public Utility Holding Company Act of 1935 with respect to issues and acquisitions pursuant to a Plan of Reorganization, dated June 1, 1936, of Peoples Light and Power Corporation, hereinafter called the "Old Company" (File Nos. 43-45, 46-47, 43-46, and 46-46). Mississippi Public Service Company, Iowa Water Service Company, Texas Public Service Company, West Coast Power Company, Kansas Public Service Company, and California Public Service Company, all being subsidiaries of the Old Company, heretofore filed with this Commission, pursuant to Section 7 of said Act, declarations with respect to the issue and sale, in connection with said Plan of Reorganization, of securities of said subsidiaries (File Nos. 43-50, 43-51, 43-52, 43-53, 43-54, and 43-55) and applications, pursuant to Rule 12C-1, with respect to the acquisition by such subsidiaries, in connection with such Plan of Reorganization, of certain of their now outstanding securities from the trustees of the Old Company (File Nos. 44-1, 44-2, 44-3, 44-4, 44-5, and 44-6). The trustees of the Old Company heretofore filed with this Commission two applications (File Nos. 46-49 and 47-10) pursuant to Sections 10 (a) (1) and 10 (a) (2) of said Act respectively and relating respectively to the acquisition by said trustees, in connection with said Plan of Reorganization, of (1) certain securities of subsidiaries of the Old Company, including the securities covered by the before-mentioned declarations filed by the six subsidiaries before mentioned, and (2) certain assets relating to the San Angelo-Coleman Division of Texas Public Service Company.

All of the before-mentioned declarations and applications have been set down and noticed for joint hearing on June 1, 1937.

Western States Utilities Company, a subsidiary of the Old Company, has now filed with this Commission (File No. 43-57), pursuant to Section 7 of said Act, a declaration with respect to the issue and sale, in connection with said Plan of

Reorganization, of 2,500 shares of common capital stock without par value of said Western States Utilities Company, with a stated book value of \$250,000, to be issued in replacement of 5,000 shares of common capital stock without par value, now outstanding, and, having a stated book value of \$280,364.96.

Said Western States Utilities Company has also now filed with this Commission (File No. 44-7) an application pursuant to Rule 12C-1 with respect to the acquisition by it, in connection with said Plan of Reorganization, of its Demand 6% Note, to be cancelled and surrendered to it as a contribution to its capital.

Texas Public Service Company, hereinbefore mentioned, and Texas Public Service Farm Company have now filed with this Commission (File No. 46-50) a joint application, pursuant to Sections 10 (a) (1) and 10 (a) (3) of said Act, with respect to (a) the acquisition by Texas Public Service Company of securities of Texas Public Service Farm Company, viz., 250 shares of common capital stock without par value, being the initial capital stock to be issued, and a First Mortgage 6% Note, due January 1, 1961, in the principal amount of \$270,000 and (b) the acquisition by Texas Public Service Farm Company of certain rice farm lands, rice warehouses, farm buildings, implements, etc., constituting the so-called rice farming and warehousing properties of Texas Public Service Company; all in connection with said Plan of Reorganization.

Iowa Water Service Company, Kansas Public Service Company and West Coast Power Company, all hereinbefore mentioned have now filed with this Commission (File No. 46-51) a joint application, pursuant to Section 10 (a) (1) of said Act, with respect to the acquisition by them, in connection with said Plan of Reorganization, from the trustees of the Old Company, of shares of cumulative convertible preferred stock and Class B common stock of the New Company in replacement of claims which they have against the Old Company;

It appearing to the Commission that these related matters should be heard and considered together;

It is ordered that a hearing on the before mentioned applications filed by Western States Utilities Company, the before mentioned joint application filed by Texas Public Service Company and Texas Public Service Farm Company, the before mentioned joint application filed by Iowa Water Service Company, Kansas Public Service Company, and West Coast Power Company, and any amendments to any thereof, be had, jointly with the hearing on the declarations and applications (and any amendments thereto) relating to said Plan of Reorganization and heretofore set down and noticed for hearing, on June 1, 1937, at 10:00 o'clock in the forenoon of that day at Room 1101, Securities and Exchange Building, 1778 Pennsylvania Avenue, N. W., Washington, D. C.; and

Notice of such hearing is hereby given to said parties and to any interested State, State commission, State securities commission, municipality, and any other political subdivision of a State, and to any representative of interested consumers or security holders, and any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before May 26, 1937.

It is further ordered that Richard Townsend, an officer of the Commission, be and he hereby is designated to preside at such hearing, and authorized to adjourn said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, contracts, agreements, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

Upon the completion of the taking of testimony in these matters, the officer conducting said hearing is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-1498; Filed, May 21, 1937; 12:42 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 20th day of May, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE CONTINENTAL ET AL.-BORNHOLDT FARM, FILED ON APRIL 28, 1937 BY HARRY W. HAYNES, RESPONDENT

ORDER FOR CONTINUANCE

The Securities and Exchange Commission, having been requested by its counsel for a continuance of the hearing in the above entitled matter, which was last set to be heard at 10:00 o'clock in the forenoon on the 20th day of May, 1937,¹ at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and it appearing proper to grant the request;

It is ordered, pursuant to Rule VI of the Commission's Rules of Practice under the Securities Act of 1933, as amended, that the said hearing be continued to 3:00 o'clock in the afternoon on the 4th day of June, 1937, at the same place and before the same trial examiner.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-1494; Filed, May 21, 1937; 12:41 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 20th day of May, A. D., 1937.

[File No. 20-485A1-1]

IN THE MATTER OF AN OFFERING SHEET OF PRODUCING LANDOWNERS' ROYALTY INTERESTS IN THE BRITISH-AMERICAN ET AL.-McnABB FARM, FILED ON JANUARY 4, 1937, BY LOUIS BERNSTEIN, RESPONDENT

PERMANENT SUSPENSION ORDER

The Securities and Exchange Commission initiated this proceeding pursuant to the provisions of Rule 340 of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, to determine whether or not an order should be entered suspending the effectiveness of the filing of an offering sheet of producing landowners' royalty interests in the "British-American et al.-McNabb Farm" located in Oklahoma County, Oklahoma, which offering sheet was filed with the Commission on January 4, 1937, by Louis Bernstein, of New York, New York, the respondent herein.

This matter having come on regularly for hearing before the Commission at Washington, D. C., on February 10, 1937, and due notice thereof having been given to the said respondent,² and the said respondent having failed to appear, and documentary evidence having been introduced and the hearing having been closed, and the Commission having found upon the evidence that said offering sheet is incomplete and inaccurate in material respects and omits to state material facts required to be stated therein, and fails to comply with certain material requirements of the Rules and Regulations of the Commission, all as set forth in the *Findings and Opinion of the Commission* filed in this proceeding, and it appearing appropriate in the public interest so to do;

It is ordered, pursuant to Rule 340 (b) of the Commission's General Rules and Regulations promulgated under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be and the same hereby is permanently suspended.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-1495; Filed, May 21, 1937; 12:41 p. m.]

¹ 2 F. R. 943.

² 2 F. R. 85.

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 20th day of May, A. D., 1937.

[File No. 20-509A2-1]

IN THE MATTER OF AN OFFERING SHEET OF PRODUCING OVERRIDING ROYALTY INTERESTS IN THE THOMASSON-DURHAM ET AL. COMMUNITY FARM, FILED ON JANUARY 15, 1937, BY E. M. THOMASSON PRODUCING COMPANY, RESPONDENT

PERMANENT SUSPENSION ORDER

The Securities and Exchange Commission initiated this proceeding pursuant to the provisions of Rule 340 of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, to determine whether or not an order should be entered suspending the effectiveness of the filing of an offering sheet of producing overriding royalty interests in the "Thomasson-Durham et al Community Farm", located in Crane County, Texas, which offering sheet was filed with the Commission on January 15, 1937, by E. M. Thomasson Producing Company, of Denver, Colorado, the respondent herein.

This matter having come on regularly for hearing before the Commission at Washington, D. C., on February 19, 1937, and due notice thereof having been given to the said respondent,¹ and the said respondent having failed to appear, and documentary evidence having been introduced, and the hearing having been closed, and the Commission having found upon the evidence that said offering sheet is incomplete and misleading in material respects, and omits to state material facts required to be stated therein, and fails to comply with certain material requirements of the Rules and Regulations of the Commission, all as set forth in the *Finding and Opinion of the Commission* filed in the proceeding, and it appearing appropriate in the public interest so to do;

It is ordered, pursuant to Rule 340 (b) of the Commission's General Rules and Regulations promulgated under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be and the same hereby is permanently suspended.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-1499; Filed, May 21, 1937; 12:42 p. m.]

¹ 2 F. R. 180.